

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

COURTNEY PARTIN,)	
)	
Plaintiff,)	
)	
VS.)	No. 16-1178-JDT-cgc
)	
MICHAEL PARRIS, ET AL.,)	
)	
Defendants.)	

ORDER DIRECTING PLAINTIFF TO SHOW CAUSE WHY THIS
CASE SHOULD NOT BE DISMISSED

Plaintiff Courtney Partin filed a *pro se* complaint pursuant to 42 U.S.C. § 1983. (ECF No. 1). At the time, he was incarcerated at the Northwest Correctional Complex (NWCX) in Tiptonville, Tennessee.¹ The Court dismissed the case *sua sponte* under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b) for failure to state a claim, (ECF No. 16), but the Sixth Circuit affirmed in part and vacated in part and remanded for further proceedings against Defendant Joseph Woodard. *Partin v. Parris, et al.*, No. 17-6172, 2018 WL 1631663 (6th Cir. Mar. 20, 2018). Defendant Woodard eventually was served with process on June 5, 2019. (ECF No. 46 at PageID 323.) No answer or other response to the complaint has been filed, and Partin has taken no further action to move this case forward.

¹ On July 9, 2018, Partin notified the Court he had been released from prison and provided his new address. (ECF No. 37.)

Therefore, Partin is ORDERED to show cause, in writing, why this case should not be dismissed for failure to prosecute. A response to this order must be filed within twenty-one (21) days, on or before September 11, 2019.² If Partin fails to respond to this order within the time specified, the Court will dismiss this action without further notice, pursuant to Federal Rule of Civil Procedure 41(b).

IT IS SO ORDERED.

s/ **James D. Todd**
JAMES D. TODD
UNITED STATES DISTRICT JUDGE

² Because Partin is no longer a prisoner his response must actually be received by the Clerk by the stated deadline in order to be deemed timely. He is no longer entitled to the “mailbox rule” applicable to documents filed by incarcerated litigants under *Houston v. Lack*, 487 U.S. 266 (1988).